

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
CLERK OF COURT

OCT 12 2004

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MODERN CONTINENTAL  
CONSTRUCTION, INC.  
Plaintiff,

Civil Action No.: 03 CV 12247 WGY

-against-

**STIPULATION and ORDER  
OF DISMISSAL**

RLI INSURANCE COMPANY

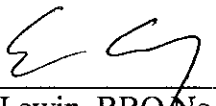
Defendant.  
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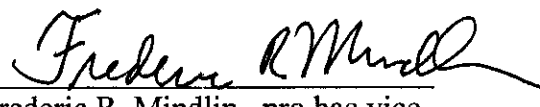
**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned counsel, that the above entitled action and all related counterclaims are discontinued with prejudice, with each party to bear its own attorney's fees and costs.

Dated: October 5, 2004

HINCKLEY, ALLEN & SNYDER, LLP

MOUND, COTTON, WOLLAN &  
GREENGRASS

  
\_\_\_\_\_  
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Attorneys For Defendant

SO ORDERED:

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U.S.D.J.